

REMARKS

In applicant's December 15, 2004 response to a Notice of Non-Compliant Amendment dated October 28, claims 1, 6, and 10, listed as previously presented in applicant's Current Status of all Claims, are not the claims allowed by Examiner Koehler. Applicant hereby requests entry of claims 1, 6, and 10 as allowed by the Examiner and as listed in applicant's above-corrected Current Status of all Claims without withdrawing this application from issue. This request is made on the following grounds.

1. Claims 1, 6, and 10, recited in applicant's present corrected claim status list, were presented by preliminary amendment on January 7, 2004, and thereby amending claims 1, 6, and 10 to recite "between 25% and 70% aluminum by weight." Applicant's December 15, 2004 response incorrectly listed claims 1, 6, and 10 as filed on January 7, 2004, not the claims 1, 6, and 10 amended on that date.
2. During a December 3, 2004 interview with Examiner Koehler, it was agreed, and the interview summary clearly shows, that the instant application provides support for the claim language "between 25% and 70% aluminum by weight," and that the Examiner allowed claims 1, 6, and 10 as presented above in applicant's corrected claim status list.
3. In the instant application, the notice of allowance was mailed on January 28, 2005 and the issue fee is due April 28, 2005. Applicant has not paid the impending issue fee, and accordingly, the present amendment may be considered for entry under 37 CFR § 1.312.
4. Applicant requests entry of the present amendment to avoid filing a Certificate of Correction after the patent issues.

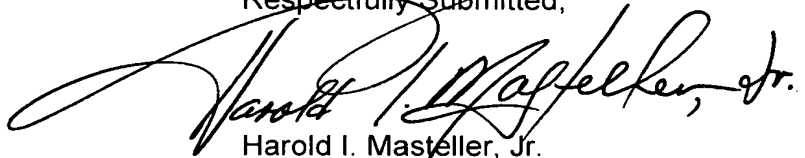
The above constitutes a response to a heretofore-unnoticed typographical error in applicants December 15, 2004 response to the Notice of Non-Compliant Amendment dated October 28, 2004. Applicant believes that no new matter has been inserted into the present application by way of applicant's amendment. If the Primary Examiner fails to recommend entry of this amendment without withdrawing

Serial No. 10/753,099

application 10/753,099 from issue, applicant respectfully asks the Primary Examiner to telephone the number listed below to discuss any remaining issues to place the present amendment in condition for entry.

It is believed that no additional fees are due in connection with the filing of this response. However, if any additional fees are found due, the Assistant Commissioner for Patents is hereby authorized to charge such additional fees, or to credit any overpayment of fees, to Deposit Account No. 02-2225.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Harold I. Masteller, Jr.", is written over the typed name and title.

Harold I. Masteller, Jr.
Patent Agent for Applicant
Registration No. 34,665

P.O. Box 302
Springtown, PA 18081
Telephone: (610) 346-7657
Facsimile: (610) 346-9656
e-mail: himjr@fastnet.com